

ORIGINAL

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

RECEIVED
JUL 22 2003

Illinois Commerce Commission
RAIL SAFETY SECTION

CITY OF PEORIA, a municipal)
corporation,)

v.)

UNION PACIFIC RAILROAD)
COMPANY,)

v.)

STATE OF ILLINOIS DEPARTMENT)
OF TRANSPORTATION.)

DOCKET NO. T01-0032

Petition of the City of Peoria,
Illinois, to construct a viaduct
bridge carrying the tracks of the
Union Pacific over the extension
of Charter Oak Road, Peoria County,
Illinois and directing a substantial
Portion thereof to be borne by the
Grade Crossing Protection Fund.

RESPONDENT UNION PACIFIC RAILROAD COMPANY'S
RESPONSE TO PETITIONER CITY OF PEORIA'S SUPPLEMENTAL PETITION
FOR RELEASE OF 2nd INSTALLMENT OF ALLOTMENT FROM THE FUND

NOW COMES the respondent, UNION PACIFIC RAILROAD
COMPANY, a Delaware corporation, authorized to transact business
in the State of Illinois as a common carrier ("Railroad"),
through its attorney, Mack H. Shumate, Jr., with the following
as Railroad's response to the Supplemental Petition filed by the
City of Peoria, a municipal corporation ("City") regarding
City's request for permission and authority to construct a
viaduct structure and remove an existing bridge structure in the
City of Peoria, Illinois:

DOCKETED

JUL 22 2003

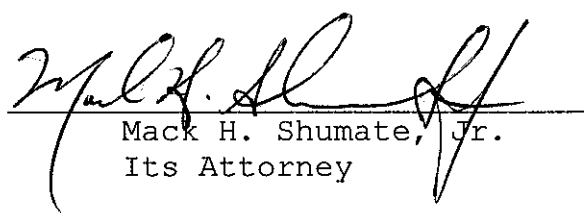
1. The Railroad concurs with the recitation of facts as presented.

2. The Railroad supports completion of the subject Project and defers to the Commission with regard to the request of the City of Peoria regarding the release of the second funding installment.

Respectfully submitted,

UNION PACIFIC RAILROAD COMPANY

By:


Mack H. Shumate, Jr.
Its Attorney

Mack H. Shumate, Jr.
Attorney for Respondent
Union Pacific Railroad Company
101 North Wacker Drive, Room 1920
Chicago, IL 60606
312/777-2055

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

CITY OF PEORIA, a municipal)
corporation,)

v.)

UNION PACIFIC RAILROAD)
COMPANY,)

v.)

STATE OF ILLINOIS DEPARTMENT)
OF TRANSPORTATION.)

DOCKET NO. T01-0032

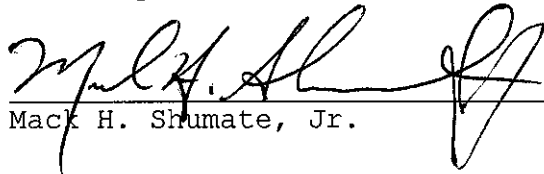
Petition of the City of Peoria,
Illinois, to construct a viaduct
bridge carrying the tracks of the
Union Pacific over the extension
of Charter Oak Road, Peoria County,
Illinois and directing a substantial
Portion thereof to be borne by the
Grade Crossing Protection Fund.

NOTICE OF FILING

TO:

David Lazarides
Director of Processing
and Information
Illinois Commerce Commission
527 East Capitol
Springfield, Illinois 62701

PLEASE TAKE NOTICE that I have filed this 21st day of July, 2003,
the attached Union Pacific Railroad Company's Response to City of
Peoria's Supplemental Petition in the captioned matter.


Mack H. Shumate, Jr.

Mack H. Shumate, Jr.
Union Pacific Railroad Company
101 North Wacker Drive, Suite 1920
Chicago, Illinois 60606
312/853-8455

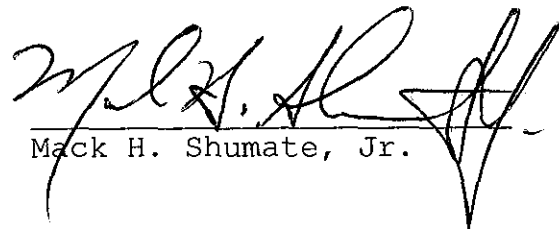
CERTIFICATE OF SERVICE

The undersigned on oath states that a copy of the foregoing Response was served by depositing true and correct copies of same in the U.S. Mail chute, with proper postage prepaid located at 101 North Wacker Drive, Chicago, Illinois, before 5:00 p.m. on 21st day of July, 2003 to the following individuals:

Sonni C. Williams, Esq.
419 Fulton Street
Suite #207
Peoria, Illinois 61602

James C. Slifer
Director of Highways
Illinois Department of Transportation
2300 South Dirksen Parkway
Springfield, Illinois 62764

Gary Wilwerding
Manager Industrial & Public Projects
Union Pacific Railroad Company
301 West Lake Street
Northlake, IL 60164



Mack H. Shumate, Jr.

Mack H. Shumate, Jr.
Union Pacific Railroad Company
101 North Wacker Drive
Suite 1920
Chicago, Illinois 60606
312/777-2055